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GRAPH FOUNDATION, INC.
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 NEO4J, INC., a Delaware corporation

Case No. 3:19-CV-6226-JSC

12 Plaintiff,

**STIPULATION TO SET ASIDE DEFAULT
AND ~~[PROPOSED]~~ ORDER [FRCP 55(c)]**

13 vs.

14 GRAPH FOUNDATION, INC., an Ohio
15 corporation,

16 Defendant.
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28 STIPULATION TO SET ASIDE DEFAULT AND [PROPOSED] ORDER

Case No.: 3:19-CV-6226-JSC

1 Plaintiff Neo4J, Inc. ("Plaintiff"), by and through its attorneys of record, and Defendant
2 Graph Foundation, Inc. ("Defendant"), by and through its attorney, John D. Pernick, Esq.,
3 (Plaintiff and Defendant, collectively, the "Parties"), HEREBY STIPULATE AS FOLLOWS:

4 WHEREAS, the Court Clerk entered a default in this matter on November 18, 2019.

5 WHEREAS, the Parties wish to cooperate in setting aside the default and to proceed with
6 this action.

7 IT IS HEREBY STIPULATED THAT:

8 1. The Parties respectfully request that the Court set aside the Default entered by the
9 Clerk in this matter;

10 2. Defendant is not and shall not contest service of summons;

11 3. Defendant will stipulate that the above-entitled action be related pursuant to Civ.
12 L.R. 3-12 to a case previously filed in this Court, *Neo4j, Inc, Neo4j Sweden AB v. PureThink LLC*
13 *et al.* Case No. 5:18-cv-07182-EJD;

14 4. Defendant shall be permitted to file an Answer and Counterclaim, in Defendant's
15 discretion, in response to the Complaint in this action, but Defendant shall not file any motions as
16 its response to the Complaint;

17 5. Defendant shall file its answer to the Complaint and any counterclaim within
18 fourteen (14) days of the Court's entry of its Order setting aside the Default.

19 Dated: November 22, 2019

BERGESON, LLP

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21 By: /s/ John D. Pernick
John D. Pernick
Attorneys for Defendant
22 GRAPH FOUNDATION, INC.


23 Dated: November 22, 2019

HOPKINS & CARLEY

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25 By: /s/ Jeffrey M. Ratinoff
John V. Picone III
Jeffrey M. Ratinoff
26 Attorneys for Plaintiff
27 NEO4J, INC.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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3 DATED: December 13, 2019


United States District Judge